**HIGH COURT OF CHHATTISGARH: BILASPUR**

**Writ Petition (C) No. 4791 of 2007**

**PETITIONER** Shri Agrasen Bhawan Samiti, through its Vice President Shri Natwar Lal Agrawal, aged 50 years, son of Shri Motilal Agrawal, resident of New Sarkanda, Bilaspur, Tahsil and District Bilaspur (CG).

**Versus**

**RESPONDENTS**

1) State of Chhattisgarh, through the Secretary, Industry and Commerce, Raipur (CG).

2) Registrar, Firms and Societies, Raipur (C.G.).

3) Assistant Registrar, Firms and Societies, Raipur (C.G).

4) Bilaspur Agrawala Sabha, through its Secretary Shri Dwarika Prasad Agrawala, aged about 63 years, son of Shri Gajanan Agrawala, Rishi Colony, Indira Ward Bilaspur, Tahsil and District Bilaspur (C.G.).

(Writ Petition under Article 226/227 of the Constitution of India)

**SB: Hon'ble Mr. Satish K. Agnihotri, J.**

**Present:** Shri M.D. Sharma, counsel for the petitioner.
Shri Suryakant Mishra, Panel Lawyer for the State.

**ORDER**

**(Passed on 16th August, 2007)**

Learned counsel appearing for the petitioner submits that the respondent No.4 has preferred an appeal before the Registrar, Firms and Societies, Raipur, against the order dated 19-4-2006 passed by the Assistant Registrar, Firms and Societies, Bilaspur. The petitioner raised a preliminary objection before the Registrar, Firms and Societies, Raipur, before admission of the said appeal, but the same was rejected vide order dated 14-3-2007.

2) Being aggrieved, the petitioner preferred an appeal before the State Government. The State Government by order dated 25-4-2007 declined to entertain the appeal on the ground that no appeal to the State Government is maintainable against the order passed by the Assistant Registrar, Firms and Societies.

3) Learned counsel appearing for the petitioner further submits that there is a factual error as the impugned order before the State Government was not passed by the Assistant Registrar, Firms and Societies, but the same was passed by the Registrar, Firms and Societies, rejecting the preliminary objection of the petitioner. At this stage, learned counsel appearing for the petitioner submits that the petitioner does not want to press other points, except that the Registrar, Firms and Societies, Raipur, be directed to consider and decide the appeal filled by the respondent No.4 pending before the Registrar, Firms and Societies, Raipur, expeditiously, in accordance with law, after affording proper opportunity of hearing to the petitioner, to which learned counsel appearing for the respondents No. 1 to 3/State has no objection.

4) It is ordered accordingly.

5) The Registrar, Firms and Societies, Raipur, is directed to afford an opportunity of hearing to the petitioner and decide the appeal filed by the respondent No.4 expeditiously, on its own merit, in accordance with law.

6) In view of the foregoing, this petition is disposed of.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

raju